

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

UNITED STATES OF AMERICA

*** CRIMINAL DOCKET NO: 07-179**

v.

*** SECTION: "D"**

JAMES DAVIS

*** * ***

FACTUAL BASIS

Evidence, both testimonial and physical, would be adduced from competent witnesses in order to prove defendant, James Davis, guilty beyond a reasonable doubt of the carjacking described in count five of the indictment:

On March 17, 2007, at approximately 11:40 p.m., then - seventeen-year-old Bianca Garcia and sixteen-year-old Patrick Leblanc were sitting in Ms. Garcia's 2002 Honda Civic in front of Mr. Leblanc's house at 305 Jefferson Heights in Jefferson, Louisiana. A dark-colored car, consistent with a green Ford Taurus, pulled up to that location and defendant James Davis got out of the car, armed with an unknown-type handgun, and ordered Mr. Leblanc and Ms. Garcia out of the Civic. Davis demanded that Mr. Leblanc remove everything from his pockets and the victim complied, handing over his wallet to DW. Ms. Garcia left her keys inside the ignition when she got out of her vehicle. Davis then jumped inside the Civic and fled, making good his escape, followed by the dark-colored vehicle, now driven by DW, that brought him to the scene.

On March 19, 2007, Jefferson Parish deputy Russell Varmall was apprised that Ms. Garcia's

stolen car was found in the 8700 block of Monroe Court in New Orleans. The vehicle was secured and towed to the Jefferson Parish Sheriff's Office Detective Bureau for processing. On March 20, 2007, detective Varmall was advised that one latent fingerprint, collected from a compact disc found in Ms. Garcia's car, belonged to James Davis. Davis was arrested on the same day and, on March 26, 2007, the defendant gave an audio-taped statement, implicating DW in the carjacking. He admitted that he picked DW up in the Carrollton area of New Orleans and drove them to Jefferson Parish to "hit a lick," a street term meaning to commit a robbery. Davis advised that he drove the dark-colored vehicle to the location of the robbery and fled the scene in the Honda Civic.

Ensuing Davis's statement, items recovered from Ms. Garcia's Honda Civic were submitted to ReliaGene technologies for DNA analysis and DW's DNA was found on a plastic eating utensil recovered from the carjacked Civic, thus corroborating Davis's inculpatory statement.

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Date

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Date

JAMES DAVIS
Defendant

Date